

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)	
)	
Application of KMC Telecom V, Inc.)	WC Docket No. 05-309
and KMC Telecom of Virginia, Inc. to)	Comp. Pol. File No. 729
Discontinue Domestic Telecommunications)	
Service)	

RESPONSE IN OPPOSITION OF GRANDE COMMUNICATIONS NETWORKS, INC.

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Attorneys for Grande Communications Networks, Inc.

November 11, 2005.

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
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RESPONSE IN OPPOSITION OF GRANDE COMMUNICATIONS NETWORKS, INC.

COMES NOW GRANDE COMMUNICATIONS NETWORKS, INC. (hereafter "Grande") and for cause would show as follows:

SUMMARY OF POSITION

Grande does not object to the discontinuance of service by KMC Telecom; however, Grande does object to service being discontinued on December 5, 2005. Grande respectfully requests that the Federal Communications Commission (hereafter, the "Commission") not permit KMC to discontinue domestic service until January 2, 2006 at the earliest. Alternatively, Grande respectfully requests that the Commission not permit KMC to terminate service in Oklahoma City, Stillwater, and Tulsa, Oklahoma and Little Rock, Arkansas prior to January 2, 2006.

STATEMENT OF INTEREST

1. Grande purchases local PRI services from KMC Telecom in a number of states including Oklahoma and Arkansas. In turn, Grande utilizes those facilities to provide internet transport services for ISPs.

2. On October 27, 2005, Grande received a notice dated October 26, 2005 from KMC, a copy of which is attached as Exhibit A. KMC advised Grande in that notice that KMC would cease to provide services thirty days from the date of the notice.

3. Thereafter, this Commission published for comment the KMC petition to discontinue service. The Commission established a tentative service termination date providing, inter alia, "...absent further Commission action, KMC may not terminate service to its affected carrier customers until December 5, 2005."

4. Upon the receipt of the letter dated October 26th from KMC, Grande immediately contacted KMC (as well as other potential vendors) in an attempt to arrange for facilities to replace KMC service by the end of the thirty day period referenced in the notice from KMC. Despite Grande's best efforts, no alternative service has been determined to be available at any cost for certain routes currently served by KMC within the time frame and, as a result, Grande will not be able to activate sufficient replacement facilities from other providers for all current routes by December 5, 2005.

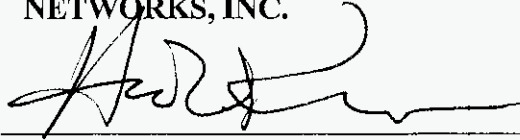
5. Based upon Grande's best effort negotiations with other vendors as of the date of this filing, service interruptions will occur to Grande's customer ISPs and the end-use customers of those ISPs in Oklahoma City, Stillwater and Tulsa, Oklahoma and in Little Rock, Arkansas unless the tentative service deadline of December 5, 2005 is extended until January 2, 2006.

6. Grande has consulted with counsel for KMC as well as KMC personnel. KMC personnel have been unwilling to accommodate Grande's request for an extension of service as outlined above.

WHEREFORE, PREMISES CONSIDERED, Grande respectfully requests that the Commission direct that KMC continue to provide service to Grande Communications in Oklahoma City, Stillwater and Tulsa, Oklahoma and Little Rock, Arkansas until January 2, 2006.

Respectfully submitted,

**GRANDE COMMUNICATIONS
NETWORKS, INC.**

A handwritten signature in black ink, appearing to read 'Andrew Kever', is written over a horizontal line.

Andrew Kever
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Attorneys for Grande Communications Networks, Inc.

November 11 , 2005.

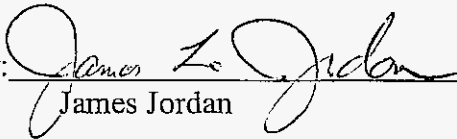
Verification of James Jordan

My full name is James Jordan, and I am over the age of eighteen years old. I am currently Director of Network Services for Grande Communications Networks, Inc. ("Grande") a corporation organized and existing under the laws of Delaware, with its principal office located at 401 Carlson Circle, San Marcos, Texas 78666 and on whose behalf I make this Verification. I have reviewed the foregoing Response of Grande Communications Networks, Inc. ("Response"). The facts as set forth in the Response are true and correct, to the best of my knowledge, information, and belief.

I verify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 11, 2005.

GRANDE COMMUNICATIONS
NETWORKS, INC.

By: 
James Jordan



Corporate Office
1545 Route 206, Suite 300
Bedminster, NJ 07921
Tel 908.470.2100
Fax 908.719.8774
www.kmc telecom.com

October 26, 2005

VIA FEDERAL EXPRESS & FACSIMILE

Grande Communications
401 Carlson Circle
San Marcos, TX 78666
Fax:
Attn: Ola Young

IMPORTANT NOTIFICATION:

Dear Valued Customer:

As you may already know, effective thirty (30) days after the date of this letter, or as soon thereafter as the necessary regulatory approvals are obtained, KMC Telecom V, Inc. and KMC Telecom of Virginia, Inc. ("KMC")¹ will be discontinuing your telephone service (including enhanced termination service, enhanced origination service, dial access service and PRI services). This discontinuance affects service in all states where KMC is authorized to provide telecommunications service. This notice clarifies and supercedes any previous communications on this issue.

Your action is required! You must subscribe to a telephone service provider other than KMC prior to the end of the thirty (30) day period referenced above or you will not have access to the services currently available to you through KMC.

KMC will cooperate with you through the date of discontinuance concerning the transition of your telephone service to an alternative carrier of your choice and will assist you in transitioning your existing local telephone number(s) where permitted. Please consult your local telephone directory or the incumbent local exchange carrier(s) in your area for a list of other possible providers. Should you need KMC's assistance, please contact Sharon Schaub at (785) 290-9019. We regret to inform you that certain

¹ Please note that you may have a contract with an affiliate of KMC, including, without limitation, KMC Telecom Solutions, LLC, KMC Telecom III, LLC or KMC Telecom LLC.

underlying vendors of critical services have threatened to cease providing service to KMC. If any such vendor stops providing service to KMC, the effect could be to render us unable to provide service to you for reasons beyond our control even before the thirty (30) day period has expired. Thus, it is vital that you obtain service from a substitute provider immediately.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within fifteen (15) days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the §63.71 Application of KMC Telecom V, Inc. and KMC Telecom of Virginia, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

KMC appreciates your business, and we regret that we will no longer be providing your telephone services. It has been our pleasure serving you.

KMC Telecom V, Inc.
KMC Telecom of Virginia, Inc.

